

**CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
CENTRAL COAST REGION**

**895 Aerovista Place, Suite 101
San Luis Obispo, CA 93401-7906**

**NOTICE OF PUBLIC HEARING
NOTICE OF FILING A DRAFT ENVIRONMENTAL DOCUMENT**

To Consider Amending the Water Quality Control Plan for the Central Coast Basin to (1) De-designate the Shellfish Harvesting Beneficial Use for San Lorenzo River Estuary, (2) Modify San Lorenzo River Subbasin and Aptos-Soquel Subbasin Prohibition, and (3) Adopt the Total Maximum Daily Loads for Pathogens In San Lorenzo River Estuary, San Lorenzo River, Branciforte Creek, Camp Evers Creek, Carbonera Creek, and Lompico Creek

NOTICE IS HEREBY GIVEN that the California Regional Water Quality Control Board Central Coast Region (Central Coast Water Board) will hold a public hearing to consider adoption of a resolution amending the Water Quality Control Plan (Basin Plan) of the Central Coast Region. If accepted, the resolution will incorporate into the Basin Plan (1) the removal of the shellfish harvesting beneficial use in San Lorenzo River Estuary, (2) a modification of the San Lorenzo River Subbasin and Aptos-Soquel Subbasin Prohibition, and (3) Total Maximum Daily Loads for Pathogens in **San Lorenzo River Estuary, San Lorenzo River, Branciforte Creek, Camp Evers Creek, Carbonera Creek, and Lompico Creek**. At the conclusion of the hearing the Central Coast Water Board will consider approval of the proposed resolution. The Basin Plan establishes measures to protect beneficial uses of water and achieve water quality objectives.

Actions to amend the Basin Plan by the Central Coast Water Board will be taken in accordance with a regulatory program exempt under section 21080.5 of the Public Resources Code from the requirement to prepare an environmental impact report under the California Environmental Quality Act (Public Resources Code, section 21000 et seq.) and with other applicable laws and regulations.

The Central Coast Water Board is proposing to remove the shellfish harvesting beneficial use from the San Lorenzo River Estuary; the shellfish harvesting beneficial is not an appropriate beneficial use designation for San Lorenzo River Estuary.

Secondly, the Central Coast Water Board is proposing to modify the San Lorenzo River Subbasin and Aptos-Soquel Subbasin waste discharge prohibition. Modification of the prohibition is required to address nonpoint source discharges from various nonpoint sources of fecal indicator bacteria, including discharges from domesticated animals and humans. Controlling nonpoint source discharges through prohibitions is consistent with State Water Resources Control Board's *Policy for Implementation and Enforcement of the Nonpoint Source Pollution Control Program*, May 20, 2004.

Thirdly, the Central Coast Water Board is proposing to adopt Total Maximum Daily Loads (TMDL) for pathogens in San Lorenzo River Estuary, San Lorenzo River, Branciforte Creek, Camp Evers Creek, Carbonera Creek, and Lompico Creek. The purpose of the TMDL is to protect the surface waters from water quality degradation. The TMDL protects beneficial uses from discharges associated with fecal coliform concentration exceeding water quality objectives.

Copies of the proposed resolution and amendment to the Basin Plan (in the form of a staff report, a substitute environmental document which includes an Environmental Checklist, and draft amendment for adoption) are available on the Internet at:

<http://www.waterboards.ca.gov/centralcoast/TMDL/PublicCommentParticipation.htm>.

Please see the following staff report on the above website: "Staff Report for Total Maximum Daily Loads for Pathogens in the San Lorenzo River Watershed." The proposed amendments to the Basin Plan are also available by request at the office of the Central Coast Water Board; please contact: Sherry Kuykendall at 805-549-3865.

The public hearing is scheduled as follows:

Date: **March 21, 2008**

Time: **8:30 a.m.**

Place: **Salinas City Council Rotunda Chambers
200 Lincoln Avenue
Salinas, CA 93901**

Time limits may be imposed on oral presentations at the hearing. Additional or alternative rules or regulations consistent with the general purpose of the amendment and complementary to the specific proposed rules may be developed at the hearing as a logical outgrowth of this hearing.

At the conclusion of the public hearing, the Central Coast Water Board will consider certification of the environmental document and approval of the proposed amendments.

The public comment period will occur from **December 5, 2007 to January 18, 2008**. All evidence must be submitted in advance of the hearing. Policy statements and other comments should also be submitted in writing in advance of the hearing, but limited oral presentations may be made at the hearing. The Central Coast Water Board must receive written comments and all written evidence **by 5:00 p.m. on January 18, 2008**. Written materials must be sent to Shanta Keeling at the address listed above. **Written material received after 5:00 p.m. on January 18, 2008 will not be provided to Board members or become part of the record**, unless the Chair rules that no person (including the Central Coast Water Board) will be prejudiced by the late submission. A request to submit late materials must explain why the materials were not submitted earlier. The Chair will rule at or before the hearing. Late submissions that consist of evidence (as opposed to policy statements or comments) will generally be deemed

prejudicial unless the Central Coast Water Board and all interested persons have time to consider the evidence before the meeting.

Your timely submittal will allow staff and the Central Coast Water Board members to consider your comments before taking final action at the meeting to be held on March 21, 2008.

Copies of the existing Basin Plan are located at libraries in major cities throughout the region, at the office of the Central Coast Water Board, and on the Internet at <http://www.waterboards.ca.gov/centralcoast/BasinPlan/Index.htm>.

The location of the hearing is accessible to persons with disabilities. Individuals who require special accommodations are requested to contact **Carol Hewitt** at **805-549-3503** at least five working days prior to March 21, 2008. TTY users may contact the California Relay Service at 1-800-735-2929 or voice line at 1-800-735-2922.

For additional information on this proposed Basin Plan amendment, please call Shanta Keeling at (805) 549-3464.

The public hearing will be held:

**March 21, 2008
8:30 a.m.
Salinas City Council Rotunda Chambers
200 Lincoln Avenue
Salinas, CA 93901**

On February 8, 2008, Central Coast Water Board staff learned that the Santa Cruz Sentinel (newspaper) did not publish the above notice for three consecutive days as staff requested. Therefore, staff immediately requested that the newspaper publish the below notice for three consecutive days; hence the reason for two public notice periods included in Attachment 4.

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The public comment period will occur from **February 9, 2008 to March 20, 2008**. All evidence must be submitted in advance of the hearing. Policy statements and other comments should also be submitted in writing in advance of the hearing, but limited oral presentations may be made at the hearing. The Central Coast Water Board must receive written comments and all written evidence **by 5:00 p.m. on March 20, 2008**. Written materials must be sent to Shanta Keeling at the address listed above. **Written material received after 5:00 p.m. on March 20, 2008 will not be provided to Board members or become part of the record**, unless the Chair rules that no person (including the Central Coast Water Board) will be prejudiced by the late submission. A request to submit late materials must explain why the materials were not submitted earlier. The Chair will rule at or before the hearing. Late submissions that consist of evidence (as opposed to policy statements or comments) will generally be deemed

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